

IOWA DOT – CIVIL RIGHTS BUREAU (CRB) PRECON TALKING POINTS

- **EEO/AA Officer** Name, email address and telephone number
- Ensure that EEO/AA policies for all subcontractors are on file with CRB prior to work on the project
- **EEO/AA Board** is posted in visible and accessible to all employees and potential employees (1102.19 E (5)).
 - Where will the EEO/AA board be located?
 - The EEO/AA posters are online through the Civil Rights Bureau's website.
 - If the project is in an area where there are non-English speakers the Contractor is strongly encouraged to post "Know Your Rights: Workplace Discrimination is Illegal" posters in those languages. You can find them at U.S. Equal Employment Opportunity Commission <https://www.eeoc.gov/poster>
 - Posters remain in place through the completion of the project.
 - **Penalty:** Failure to comply with Section 1102.19 of the Spec book states: Progress payments will not be made until notice and posters are displayed at the required site.
- **EEO Meeting Requirements:** EEO meetings with supervisory and personnel office employees must be conducted before the start of work and then at least once every 6 months. EEO meetings with non-supervisory employees must be conducted at least annually.
- **Discrimination complaints:** If a complaint can't be resolved at the contractor level or the complaint is against another contractor you can contact the Civil Rights Bureau. The External Complaint Procedure is on Iowa DOT Civil Rights Bureau's Title VI homepage (1102.19 F (5)). <https://iowadot.gov/civilrights/Title-VI/Title-VI-Program>
- **DBE Commitments:** There have been an increased number of price adjustments due to not making DBE commitments.
 - If a Prime or DBE starts having concerns regarding meeting DBE commitments contact the Civil Rights Bureau, immediately at 515-239-1304 or Nikita.Rainey@iowadot.us. **Note:** The Civil Rights Bureau cannot retroactively reduce a DBE commitment.
 - Primes should provide a DBE written notification immediately if they need to replace a DBE; and contact the Project Engineer (1102.17 (F)).
 - It takes the Civil Rights Bureau seven (7) business days to approve a request for substitution of a DBE.
 - A price adjustment is assessed in the amount of commitment not paid to each DBE unless the DBE commitment reduction was approved prior to final payment.
 - **Penalty:** A price adjustment of an amount equal to the difference between the actual DBE dollars paid and the contractor's adjusted DBE commitment to that DBE firm (1102.17 (G)).
- **Prompt payment:** Any delay or postponement of payment among parties may take place only for good cause, with written notification to the subcontractor, whether a DBE or non-DBE subcontractor (1109.05 (B)).
 - Payment for satisfactory performance must be made no later than 7 days after a Prime receives or could have received payment for the subcontractor, if the reason for non-payment is not the subcontractor's fault.
 - Retained funds due to subcontractors shall be paid by the Prime within 30 days after satisfactory performance on a project.
 - Complaints may be submitted to the Civil Rights Bureau if initial attempts to resolve the issue between parties (e.g., Prime w/Project Engineer or Subcontractor w/ Prime) do not result in satisfactory payment for completed

work. Submit written complaints to the Civil Rights Bureau using form (650197) found on the Iowa DOT Civil Rights Bureau's Title VI complaint resolution processes website. The written complaint shall include copies of the correspondence with the Project Engineer or Contractor that provides the details stated above.

- Civil Rights Bureau will investigate and provide a written response to the complainant within 15 business days of receipt of the complaint.
- **Penalty:** Failure to comply with Section 1109.05 in the Spec Book could result in a price adjustment credits, or suspension of bidding qualification.

- **Commercial Useful Function:** The CUF checklist (Form 517014) must be used for all federally funded projects that include a DBE firm as a subcontractor or Prime (with or without a DBE goal).

- Davis Bacon (pre-determined wages) if applicable

- **Prevailing Wage Rate Requirements:** Contractors and subcontractors must pay employees, at a minimum, the classification wage rates specified in the contract. The minimum wage rates must also be conspicuously posted and accessible on the project site.

- **Certified Payroll Records:** Uploaded to Doc- Express

Reminder: Contractors are reminded that on Subcontract Request Form 830231 (.con files or hardcopy) *Column A* must be completed for all DBEs on a federal aid project.